



4-30-04

EXPRESS MAIL LABEL NO.: EV 396741203 US

PATENT APPLICATION
Docket No.: 7678.576a.1.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
)
	Brian Algar, et al.)
)
Serial No.:	10/726,218) Art Unit
) Not Known
Filed:	December 2, 2003)
)
Confirmation No.:	Not Yet Known)
)
For:	METHOD OF TREATING A PATIENT'S)
	TEETH USING FLUORIDE RELEASING)
	GLASS COMPOSITION)
)
Examiner:	Not Yet Known)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each nonenglish reference, if any, are also enclosed.

Dated this 27th day of February, 2004.

Respectfully submitted,



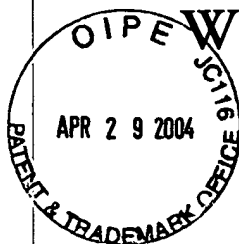
JOHN M. GYNN
Attorney for Applicant
Registration No. 36,153
Customer No. 022913

JMG:kcs
KCS0000001829V001

RICK D. NYDEGGER
 BRENT P. LORIMER
 THOMAS R. VUKSINICK
 LARRY R. LAYCOCK
 JONATHAN W. RICHARDS
 DAVID R. WRIGHT
 JOHN C. STRINGHAM
 JOHN M. GUYNN
 CHARLES L. ROBERTS
 DANA L. TANGREN
 ERIC L. MASCHOFF
 CHARLES J. VEVERKA
 ROBYN L. PHILLIPS
 RICHARD C. GILMORE *
 STERLING A. BRENNAN *
 R. BURNS ISRAELSEN
 DAVID R. TODD
 GREGORY M. TAYLOR
 DAVID B. DELLENBACH
 L. DAVID GRIFFIN
 ADRIAN J. LEE
 FRASER D. ROY
 CARL T. REED



R. PARRISH FREEMAN, JR.
 PETER F. MALEN, JR.
 L. REX SEARS, PH.D.
 WILLIAM R. RICHTER
 ERIC M. KAMERATH
 ROBERT E. AYCOCK
 JENS C. JENKINS
 KEVIN W. STINGER
 WILLIAM J. ATHAY
 MICHAEL B. DODD
 RYAN D. BENSON
 SARA D. JONES
 TIGE KELLER
 JANNA L. JENSEN
 MATTHEW D. TODD
 J. LAVAR OLDHAM
 MICHAEL J. FRODSHAM
 JOSEPH L. KRUPA
 BRETT A. HANSEN
 BRETT I. JOHNSON
 MATTHEW A. BARLOW
 WESLEY C. ROSANDER
 ANDREW S. HANSEN
 CHAD E. NYDEGGER
 JOSEPH G. PIA
 CLINTON E. DUKE
 DAVID J. LORENZ †



WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER
 60 EAST SOUTH TEMPLE
 SALT LAKE CITY, UTAH 84111
 TELEPHONE: (801) 533-9800
 FAX: (801) 328-1707
 WEBSITE: HTTP://WWW.WNLAW.COM

EXPRESS MAIL LABEL NO.: EV396741203US PATENT APPLICATION
Docket No.: 7678.576a.1.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- X Form PTO-1449 list of sixteen (16) references submitted for consideration.
- X Legible copies of the two (2) foreign references and (1) one publication or their relevant portions.
- All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified

prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

___ Legible Copies of previously filed Information Disclosure Statement for application Serial No. ____, filed ____.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

___ Promptness Certification.

___ Check No. _____ in the amount of \$240.00 constituting submission fee under 37 C.F.R. 1.17(p);

___ Petition for Consideration and Check No. _____ in the amount of \$_____.

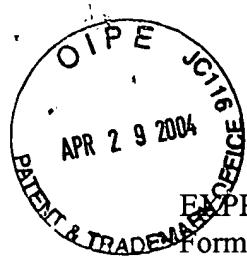
X In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Promptness Certification meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 21th day of February, 2004.

Respectfully submitted,



JOHN M. GYNN
Attorney for Applicant
Registration No. 36,153
Customer No. 022913



EXPRESS MAIL LABEL NO.: EV 396741203 US

Form PTO-1449

Sheet 1 of 3

Applicant: Brian Algar, et al.

Serial No.: 10/726,218

Att'y Docket No.: 7678.576a.1.1

Filing Date: December 2, 2003

Group: Not Yet Known

Confirmation No.: Not Yet Known

For: METHOD OF TREATING A PATIENT'S TEETH USING FLUORIDE
RELEASING GLASS COMPOSITION

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Class</u>	<u>Sub Class</u>	<u>Filing Date</u>
_____ A1.	5,098,304	03/24/92	Scharf	433	215	05/15/90
_____ A2.	5,306,338	04/26/94	Tsunekawa	106	35	11/03/92
_____ A3.	5,427,768	06/27/95	Tung	424	52	06/23/93
_____ A4.	5,639,445	06/17/97	Curtis, et al.	424	49	01/06/94
_____ A5.	5,735,942	04/07/98	Litkowski, et al.	106	35	07/16/97
_____ A6.	5,767,170	06/16/98	Ibsen, et al.	522	81	06/16/98
_____ A7.	5,891,233	04/06/99	Salonen, et al.	106	35	10/02/95
_____ A8.	6,030,220	02/29/00	Karmaker, et al.	433	215	09/24/97
_____ A9.	6,086,374	07/11/00	Litkowski, et al.	433	217.1	01/29/97
_____ A10.	6,280,863	08/28/01	Frank, et al.	428	701	08/28/01
_____ A11.	6,338,751	01/15/02	Litkowski, et al.	106	35	03/31/98
_____ A12.	6,455,609	09/24/02	Rueggeberg, et al.	523	116	05/18/00

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EV 396741203 US

Form PTO-1449

Sheet 2 of 3

Applicant: Brian Algar, et al.

Serial No.: 10/726,218

Att'y Docket No.: 7678.576a.1.1

Filing Date: December 2, 2003

Group: Not Yet Known

Confirmation No.: Not Yet Known

For: METHOD OF TREATING A PATIENT'S TEETH USING FLUORIDE
RELEASING GLASS COMPOSITION

_____ A13.	6,506,053	01/14/03	Wiesel	433	215	02/04/02
------------	-----------	----------	--------	-----	-----	----------

U.S. Patent Application Publications

<u>Examiner Initial*</u>	<u>Publication Number</u>	<u>Pub Date</u>	<u>Name</u>	<u>Class</u>	<u>Sub Class</u>	<u>Filing Date</u>
_____ A14.	2002/0037258	03/28/02	Dodd, et al.	424	49	10/18/99

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publ. Date</u>	<u>Country or Patent Office</u>	<u>Sub Class</u>	<u>Class</u>	<u>Trans- lation</u>
_____ A15.	WO 0112567	02/22/01	PCT	C03C3	247	
_____ A16.	JP 05-194132	08/03/93	Japan	A61K	6/027	

Other References

<u>Examiner Initial*</u>	<u>Document</u>
_____ A17.	K.J. Toumba, "Alleviation of Dentine Sensitivity Using Glass Slow-Release Fluoride Devices: A Pilot Study." Division of Child Dental Health. Leeds Dental Institute, Leeds, U.K. Published June 10, 2003

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EV 396741203 US

Form PTO-1449

Sheet 3 of 3

Applicant: Brian Algar, et al.

Serial No.: 10/726,218

Att'y Docket No.: 7678.576a.1.1

Filing Date: December 2, 2003

Group: Not Yet Known

Confirmation No.: Not Yet Known

For: METHOD OF TREATING A PATIENT'S TEETH USING FLUORIDE
RELEASING GLASS COMPOSITION

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

KCS0000001830V001

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Brian Algar, et al.

Docket No.

7678.5671.1.1

Serial No.
10/726,218Filing Date
Dec. 2, 2003Confirmation No.
Not KnownExaminer
Not KnownGroup Art Unit
Not Known

Invention: METHOD OF TREATING A PATIENT'S TEETH USING FLUORIDE RELEASING GLASS COMPOSITION

I hereby certify that the Transmittal letter (2 pages) (in triplicate); Information Disclosure Statement (2 pgs); Form PTO-1449 Listing all Cited References (3 pgs); Legible Copies of Two (2) of the Cited References; and postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on _____, 2004.

Kendell Steele

(Typed or Printed Name of Person Mailing Correspondence)

*(Signature of Person Mailing Correspondence)***EV 396741203 US**

("Express Mail" Mailing Label Number)

KCS0000001832V001